

(Exh. A)

MRS

STATE OF MICHIGAN 14 <sup>th</sup> JUDICIAL CIRCUIT MUSKEGON COUNTY	MOTION TO REVIEW CHILD SUPPORT	FILE NO. 91-9461-DP
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990 Terrace Street, 3<sup>rd</sup> Floor, Muskegon, MI 49442

(231) 724-6421

## Plaintiff's information:

name: Diondra Henderson  
 address:  
 city, state, zip:  
 telephone #:

## Defendant's information:

name: John A. Harris  
 address: 522 Amity Ave  
 city, state, zip: Muskegon MI 49442  
 telephone #:

## INCOME INFORMATION

## Plaintiff's information:

employer:  
 address:  
 city, state, zip:  
 telephone #:

## Defendant's information:

employer: Ø  
 address:  
 city, state, zip:  
 telephone #:

- \* 1. \* I am requesting that the Court review my current child support order or establish a child support order including child care, medical obligation and if applicable, arrearage payment using the Michigan Child Support Formula.
2. Conditions regarding support have changed as follows: (if necessary attach a separate sheet)
3. \* I understand that by requesting a review, my child support, child care, medical obligation or arrearage payment may increase or decrease depending on the parties' current income information.

I declare that the above statements are true to the best of my knowledge and belief.

Date

7-22-10

CALENDAR

Signature of party filing motion

exhibit 1(A)

exhibit 1

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 MICHIGAN

STATE OF MICHIGAN  
14TH JUDICIAL CIRCUIT  
MUSKEGON COUNTY

## ENFORCEMENT ORDER

CASE NO.  
1991-009461-DP  
HON. GREGORY PITTMANMuskegon County Friend of the Court Address:  
990 Terrace 3rd Floor Muskegon, MI 49442Telephone No. (231) 724-6421  
Fax No. (231) 724-1108

Plaintiff's name, address, and telephone no.

DIONDRA HENDERSON

.....  
.....  
.....  
.....  
(...) .....

Plaintiff's attorney name, address, telephone no., and bar no.

v

Defendant's name, address, and telephone no.

JOHN ARTHUR HARRIS JR  
522 Amity Ave  
Muskegon, MI 49442  
(231) 457-4640

Defendant's attorney name, address, telephone no., and bar no.

Date of Hearing: 1/10/11

Respondent: JOHN ARTHUR HARRIS JR

## FINDINGS:

## IT IS ORDERED:

The bench warrant is discharged.

The Respondent is assessed costs of \$100.00 payable to the Friend of the Court.

Beginning January 1, 2011 respondent shall pay \$201.03 monthly. This sum shall be applied to current and past due support, and any other obligations assessed by the court.

Both parties shall notify the Friend of the Court in writing within 21 days of the change in: a) their mailing addresses and telephone numbers; b) the name, address, and telephone number of their employers or sources of income; c) their health maintenance or insurance company insurance coverage or contract numbers; d) their occupational or driver's licenses; and e) their social security numbers unless law exempts that person from providing the social security number.

Medical confinement to be adjusted as follows; all surcharges shall be removed, current monthly charges shall cease and any remaining payoff balance shall be transferred to arrears. Respondent will pay \$25.00 per month (court ordered) toward the arrears of this case.

Respondent has made payment to the account. Within 14 days the respondent will pay \$200 (including the \$100 bench warrant fee) and/or he will file a motion to have his support reviewed. Respondent is to continue to make monthly payments towards his current support while awaiting review. Respondent must attend any hearings scheduled for review. Any calendar month without payment will result in non compliance. Noncompliance of this order will result in a bench warrant for respondent's arrest.

Date Signed: JAN 12 2011

HON. GREGORY PITTMAN P44791

CALENDARIED

was refiled

(Exh. C.)



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## Section 552.455

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### THE FAMILY SUPPORT ACT (EXCERPT) Act 138 of 1966

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#### 552.455 Modification of order; application and notice; order void upon entry of judgment of divorce or separate maintenance.

##### \* Sec. 5.

An order entered under section 2 may be modified by the court upon proper application to the court and due notice to the opposite party. If a judgment of divorce or of separate maintenance is entered by a court having personal jurisdiction over the parties, an order entered under this act is null and void upon the effective date of the judgment.

**History:** 1966, Act 138, Eff. Mar. 10, 1967 ;-- Am. 1990, Act 237, Imd. Eff. Oct. 10, 1990 ;-- Am. 1990, Act 292, Imd. Eff. Dec. 14, 1990 ;-- Am. 1996, Act 5, Eff. June 1, 1996 ;-- Am. 2002, Act 8, Imd. Eff. Feb. 14, 2002

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(Exh. B.)

1 say, I can't-- I can't pay it, or I can't-- or I've been laid  
2 off, I don't-- I can't find a job. All those things are no  
3 defenses.

4 \* But Adams seems to leave open and doesn't really  
5 clearly say it, but it seems to suggest, your Honor, that if  
6 you seek modification, you should not be prosecuted. And I  
7 think the court should hold the prosecution and the Friend of  
8 the Court to the standard that one of the other could be  
9 pursued.

10 \* All the remedies that are now available to the  
11 Friend of the Court for collection seem more than adequate in  
12 this case to deal with this man, and the support obligation he  
13 has, and the children that he's obligated to support. And it  
14 seems to me that they've elected to pursue the civil remedies  
15 through the Friend of the Court through the assigned civil  
16 judge.

17 \* So for us to be facing, under the Adams law and the  
18 existing criminal statute, another court attempting to  
19 overrule the-- in essence, overrule the Pittman order is  
20 unfair to him and shouldn't be allowed.

21 THE COURT: Mr. Balgooyen, thank you.

22 Mr. Corbett?

23 MR. CORBETT: Well, no offense to Mr. Balgooyen, but  
24 that's absurd that when you don't pay your bills and then  
25 years later you come in and ask for a modification, that all